

SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Jay B. Kasner  
Christopher P. Malloy  
Scott D. Musoff  
Four Times Square  
New York, New York 10036  
(212) 735-3000

Attorneys for Defendants Merrill Lynch & Co.,  
Inc., Merrill Lynch Mortgage Investors, Inc.,  
Merrill Lynch, Pierce, Fenner & Smith  
Incorporated, Matthew Whalen, Paul Park, Brian  
T. Sullivan, Michael M. McGovern, Donald J.  
Puglisi and Donald C. Han

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF :	
MISSISSIPPI, et al., Individually and On Behalf of All :	
Others Similarly Situated,	:
	: 08 Civ. 10841 (JSR)
	: ECF CASE
Plaintiffs,	:
	:
v.	:
	:
MERRILL LYNCH & CO. INC., et al.,	:
	:
Defendants.	:
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**NOTICE OF MOTION OF THE MERRILL LYNCH  
DEFENDANTS AND THE INDIVIDUAL DEFENDANTS  
TO DISMISS THE AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the annexed Amended Class Action Complaint in the above-captioned action; the Memorandum of Law in Support of the Motion of the Merrill Lynch Defendants and the Individual Defendants to Dismiss the Amended Class Action Complaint; the accompanying Declaration of Jay B. Kasner in Support of the Motion of the Merrill Lynch Defendants and the Individual Defendants to Dismiss the Amended Class Action Complaint,

dated August 6, 2010, and the exhibits annexed thereto; and upon all prior papers and proceedings herein, Defendants Merrill Lynch & Co., Inc., Merrill Lynch Mortgage Investors, Inc., and Merrill Lynch, Pierce, Fenner & Smith, Incorporated (collectively, the "Merrill Lynch Defendants") and Defendants Matthew Whalen, Paul Park, Brian T. Sullivan, Michael M. McGovern, Donald J. Puglisi, and Donald C. Han (collectively, the "Individual Defendants"), by and through their undersigned counsel, will move this Court, before the Honorable Jed S. Rakoff, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order: (a) dismissing the Amended Class Action Complaint with prejudice and striking certain allegations pursuant to Fed. R. Civ. P. 8(a), 12(b)(6) and 12(f); and (b) for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that opposition papers shall be served and filed on August 20, 2010; reply papers shall be served and filed on August 27, 2010; and oral argument shall be held on September 15, 2010.

Dated: New York, New York  
August 6, 2010

/s/ Jay B. Kasner  
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Jay B. Kasner (jay.kasner@skadden.com)  
Christopher P. Malloy  
(christopher.malloy@skadden.com)  
Scott D. Musoff (scott.musoff@skadden.com)  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Four Times Square  
New York, NY 10036  
(212) 735-3000

Attorneys for the Merrill Lynch Defendants and  
Individual Defendants

To:

David R. Stickney  
Timothy A. DeLange  
David A. Thorpe  
BERNSTEIN LITOWITZ BERGER &  
GROSSMANN LLP  
12481 High Bluff Drive, Suite 300  
San Diego, CA 92130  
(858) 793-0070

Chad Johnson  
Bruce Bernstein  
BERNSTEIN LITOWITZ BERGER &  
GROSSMANN LLP  
1285 Avenue of the Americas, 38<sup>th</sup> Floor  
New York, New York 10019  
(212) 554-1400

Lead Attorneys for the Class

Mitchell A. Lowenthal  
CLEARY GOTTlieb STEEN &  
HAMILTON LLP  
One Liberty Plaza  
New York, New York 10006  
(212) 225-2000

Michael R. Lazerwitz  
CLEARY GOTTlieb STEEN &  
HAMILTON LLP  
2000 Pennsylvania Avenue, N.W.  
Washington, D.C. 20008  
(202) 974-1500

Attorneys for Defendants J.P. Morgan  
Securities, Inc. and ABN AMRO Incorporated